

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KYLE MCNAIR-ROBINSON,

Plaintiff,

-v-

DAZN US LLC,

Defendant.  
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24-CV-6816 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Plaintiff Kyle McNair-Robinson brings this action against defendant DAZN US LLC, invoking the Court’s subject matter jurisdiction under the Class Action Fairness Act, which requires at least one member of the putative class to be a citizen of a state different from any defendant. *See* 28 U.S.C. § 1332(d). Plaintiff alleges that jurisdiction exists here because he is a citizen of California and DAZN US LLC is incorporated in Delaware and has its principal place of business in New York.

It is well established that a limited liability company (“LLC”) is deemed to be a citizen of each state of which its members are citizens. *See, e.g., Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51-52 (2d Cir. 2000); *see also Altissima Ltd. v. One Niagara LLC*, No. 08-CV-756S(M), 2010 WL 3504798, at \*2 (W.D.N.Y. Sept. 2, 2010) (noting that every other Court of Appeals to have considered LLC citizenship has held that an LLC has the citizenship of all of its members). Thus, a complaint premised upon diversity of citizenship must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC (including the citizenship of any members of the LLC that are themselves LLCs). *See Handelsman*, 213 F.3d at 51-52; *see also, e.g., In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17 (S.D.N.Y. 2010).

Accordingly, it is hereby ORDERED that, on or before September 18, 2024, plaintiff shall amend his complaint to allege the citizenship of each constituent person or entity comprising the LLC. If, by that date, plaintiff is unable to amend the complaint to truthfully allege complete diversity of citizenship, then the complaint will be dismissed for lack of subject matter jurisdiction without further notice to either party.

SO ORDERED.

Dated: September 11, 2024  
New York, New York



ARUN SUBRAMANIAN  
United States District Judge